



11-07-05

PCT-#

JC10 Rec'd PCT/PTO 03 NOV 2005

PATENT DOCKET 206,851

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nicita, Giulio

Examiner: Not Yet Assigned

Serial no.: 10/523,144

Group Art Unit: Not Yet Assigned

Filed: August 1, 2003

Title: DEVICE FOR SURGICAL TREATMENT OF FEMALE PROLAPSE

STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. § 1.10

This correspondence is being deposited with the United States Postal Service on November 3, 2005 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ER 842 053 522US addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450.

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NON-PROVISIONAL APPLICATION

Mail stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dated: November 3, 2005

REMARKS

In response to the Notice to File Missing Parts of August 23, 2005 (copy enclosed) in above-captioned application, enclosed is a Power of Attorney and a copy of the Declaration filed with the PCT application and PCT published application cover sheet referring to the Rule 4.17 Declaration. The surcharge for late filing of the Declaration in the amount of \$ 65.00 is included in the check submitted herewith.

11/10/2005 ATRAN1

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65.00 DP

Respectfully submitted,  
ABELMAN, FRAYNE & SCHWAB  
Attorney for Applicant

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Reg. No. 25, 928



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 Alexandria, Virginia 22313-1450  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/523,144	Giulio Nicita	206851

INTERNATIONAL APPLICATION NO.
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PCT/EP03/08546

I.A. FILING DATE	PRIORITY DATE
08/01/2003	08/01/2002

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CONFIRMATION NO. 3687  
 371 FORMALITIES LETTER  
 \*OC000000016553667\*  
 \*OC000000016553667\*

Date Mailed: 08/23/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/31/2005
- Copy of the International Search Report filed on 01/31/2005
- Preliminary Amendments filed on 01/31/2005
- Information Disclosure Statements filed on 01/31/2005
- Oath or Declaration filed on 01/31/2005
- Request for Immediate Examination filed on 01/31/2005
- U.S. Basic National Fees filed on 01/31/2005
- Priority Documents filed on 01/31/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAMIE P PERSON

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,144	PCT/EP03/08546	206851

FORM PCT/DO/EO/905 (371 Formalities Notice)